

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARRYL ANDERSON

v.

CITY OF PHILADELPHIA, ET AL.

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CIVIL ACTION

NO. 16-5717

**ORDER**

**AND NOW**, this 9th day of February, 2017, upon consideration of Defendant City of Philadelphia, et al.'s Motion to Dismiss for Failure to State a Claim (ECF No. 7), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Defendants' Motion to Dismiss is **GRANTED**. Count VI is dismissed.
2. Plaintiff may file an Amended Complaint on or before fourteen (14) days from the date of this Order.

**IT IS SO ORDERED.**

**BY THE COURT:**



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**R. BARCLAY SURRICK, J.**